

PLACER COUNTY
SHERIFF
CORONER-MARSHAL



MAIN OFFICE
2929 RICHARDSON DR.
AUBURN, CA 95603
PH: (530) 889-7800 FAX: (530) 889-7899

TAHOE SUBSTATION
DRAWER 1710
TAHOE CITY, CA 96145
PH: (530) 581-6300 FAX: (530) 581-6377

EDWARD N. BONNER
SHERIFF-CORONER-MARSHAL

DEVON BELL
UNDERSHERIFF

To: The Honorable Board of Supervisors
From: Edward N. Bonner, Sheriff-Coroner-Marshall
Date: April 8, 2014
Subject: U.S. Forest Service Contract to Provide Law Enforcement Services

Action Requested

Approve the annual contract updates between the Sheriff's Office and the U.S. Forest Service. Authorize the Chair to sign and the Sheriff to execute the contract. The services include Visitor Protection Cooperative Patrol and Controlled Substances on Federal lands for a total reimbursement of \$30,000. The term of the contract is from October 1, 2013 through September 30, 2014.

Background

On November 8, 2011 your Board approved a five-year master agreement between the Sheriff's Office and the U.S. Forest Service. Under the agreement, the Sheriff's Office will provide Visitor Protection (campground patrol) and Controlled Substance Enforcement (narcotics investigations) services in the Tahoe and El Dorado National Forests. The agreement exhibits are updated annually to reflect the current billing rates. To stay within the overall costs, the services are adjusted each year proportionate to the billing rates. The rate schedule includes hourly rates for salary, overtime, equipment, training, and vehicle use. Your Board's approval of the updated exhibits is required.

Fiscal Impact

The revenue from this contract has been included in the FY 2014-15 Sheriff's Office Submitted Budget. There is no additional fiscal impact to the General Fund.

Attachments:

Exhibit A-Visitor Protection Cooperative Patrol
Exhibit B-Controlled Substances on Federal Lands

**COPY**FS Agreement No. 12-LE-11051360-006
Modification No. 005
Cooperator Agreement No. _____**EXHIBIT A****COOPERATIVE LAW ENFORCEMENT ANNUAL PATROL OPERATIONS PLAN &
FINANCIAL PLAN****Between The
PLACER COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
LAKE TAHOE BASIN MANAGEMENT UNIT
AND THE
TAHOE NATIONAL FOREST****2014 ANNUAL OPERATING AND FINANCIAL PLAN**

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Placer County Sheriff's Department, hereinafter referred to as "the Cooperator," and the USDA, Forest Service, Lake Tahoe Basin Management Unit and the tahoe National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-1105-1360-006 executed on . This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 1, 2013 and ending September 30, 2014.

FY2013 Total Annual Operating Plan: \$17,000.00**I. GENERAL:**

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Bill Walton Admin Sergeant 2929 Richardson Dr Auburn, CA 95603 Telephone: 530-889-7800 Email: ww Walton@placer.ca.gov	Jeff Ausnow Captain PO Box 1710 Tahoe City, CA 96145 Telephone: 530-581-6312 Email: jausnow@placer.ca.gov

**Principal U.S. Forest Service Contacts:**

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Michael Casey, Patrol Captain 825 N. Humboldt Avenue Willows, CA 95988 Telephone: 530-934-1261 FAX: 530-934-1128 Email: mecasey@fs.fed.us	Melissa Ewing 631 Coyote Street Nevada City, CA 95959 Telephone: 530-478-6166 FAX: 530-478-6179 Email: melissaewing@fs.fed.us
Frank Aguilar, Patrol Captain 100 Forni Rd Placerville, CA 95667 Telephone: 530-642-5130 Email: faguilar@fs.fed.us	Constance Zipperer, Grants Management Specialist 1323 Club Drive Vallejo, CA 94592-1110 Telephone: 707-562-9120 FAX: 707-562-9144 Email: czipperer@fs.fed.us
Westside Tahoe U. S. Forest Service Contact	Eastside Tahoe U. S. Forest Service Contact
Jeff Ausnow Captain Placer County Sheriff's Office P.O. Box 1710 Tahoe City, CA, 96145 Telephone: 530.581.6312 Email: Jausnow@placer.ca.gov	Laura Clarke Law Enforcement Officer Lake Tahoe Basin Management Unit 3080 North Lake Blvd Tahoe City, CA 96145 Telephone: 530.583.2869 Email: lclarke@fs.fed.us

- B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise. The following rates include wages, fringe benefits, and equipment:

Regular Deputies: For the services provided in Section II, the Forest Service agrees to reimburse the COOPERATOR at a rate not to exceed \$100 per hour. (rate includes mileage)

Reserve Deputies: For the services provided in Section II, the Forest Service agrees to reimburse the COOPERATOR at a rate not to exceed \$100 per hour. (rate includes mileage)

II. PATROL ACTIVITIES:

- A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Cooperator and the U.S. Forest Service. The emphasis for patrols should focus on periods of higher visitor use such as Friday evenings, Saturday



days, evenings, nights, and Sunday mornings, primarily between Memorial and Labor Day holiday weekends with potential extra emphasis on the Independence Day weekend, or as otherwise requested by the Forest Service. Actual work schedules will be negotiated between the designated representatives a minimum of 24 hours in advance. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.

B. Patrol in the following campgrounds, developed sites, and dispersed areas:

LEO Laura Clarke is the Forest Service Representative for the following areas:

Granite Flat	Goose Meadows	Silver Creek	Truckee River
Pole Creek Road	Sawtooth Ridge Road	Barker Pass	Kaspian
Martis Peak Lookout	Blackwood Canyon	William Kent	Sixty-four Acres
Chambers Landing		McKinney/Rubicon OHV staging area	

LEO Tom Madrigal is the Forest Service Representative for the following areas:

Forbes Creek	Shirttail	Giant Gap	Manzanita Day Use
China Wall Staging Area		North Fork Campground	
Onion Valley	Tunnel Mills	Ralston Picnic and Big	
Reservoir/Morning			
Big Bend	Hampshire Rocks	French Meadows	
Parker Flat OHV & Sugar Pine OHV area			

PC Frank Aguilar is the Forest Service Representative for the Hell Hole Reservoir area:
Hell Hole Big Meadow Campgrounds

Patrols shall be conducted on a call when needed basis or as scheduled by the Forest Service designated representative.

When requested by the Forest Service designated representative, and as resources are available, the Cooperator will assist the Forest Service in conducting support activities related to the enforcement and investigation of violations of criminal law as they pertain to the mission of the Forest Service.

Total reimbursement for this category shall not exceed the amount of: \$17,000.00.

- C. Cooperator personnel assigned to duties in Section II must be regular employees of the Placer County Sheriff's Office with at least POST certification to operate in a solo-officer capacity. The Cooperator's assigned personnel will utilize the County's standard equipment and vehicle, or perform foot patrol, and will be in standard uniform at all times, unless otherwise requested by the Forest Service.

The assigned Deputy will possess a Forest Service radio and maintain communications with Grass Valley ECC Dispatch, including going in and out of service, at all times during the patrols.



Duties for that day or time period will be entirely Forest Service oriented and patrol the areas at the request of the Forest Service designated representative. The assigned Deputy should not generally be available for routine calls for service other than those at the request of the Forest Service. Since the billable period is an hour, any calls off National Forest land that result in absence for an hour or more, will be documented and will not be billable. Patrols should be conducted with a designated Forest Officer accompanying the Deputy, as available.

For each patrol shift, the Deputy will complete and turn in a Daily Field Activity Report (DFAR, FS 5300-26, attached). The Sheriff's Deputy will complete the report after each activity and give to the Forest Service designated representative bi weekly.

The Cooperator will complete and submit to the Forest Service the Forest Service Cooperative Law Enforcement Activity Report (FS 5300-5, attached) identifying the number of crimes occurring on NFS lands. The report shall follow the FBI Uniform Crime Reporting groupings, Part I and Part II offenses. Offenses and arrest information shall be combined and reported for each crime. This report shall separate the crimes handled under this agreement from those handled by the cooperator during regular duties. Both report forms are attached to this Exhibit and/or the Cooperative Agreement. Each Forest Service designated representative will also provide the forms as needed.

The Cooperator may not be reimbursed for the services of personnel who are employed by the Forest Service in a law enforcement capacity and are also Reserve Officers of the Cooperator.

III. EQUIPMENT AND SUPPLIES:

See Cooperative Law Enforcement Agreement Provision IV-J for additional information.

The Forest Service will loan those surplus items that will further the cooperative effort. These items are property, but in most cases will be expendable. The items will be tracked and accounted for by the Tahoe National Forest Patrol Captain. Items will be returned to the Forest Service when no longer needed and will report the damage or destruction of such property when applicable or no longer serviceable.

If any of these surplus items have original high value, serial numbers, sensitivity in storage, security or use, they will be loaned and accounted for on an amendment to this operating plan.

If the equipment is abused or neglected, as determined by the Forest Service, the Cooperator may be billed for the repairs or replacement of like equipment.

IV. SPECIAL ENFORCEMENT SITUATIONS:

- A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.



B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify the Cooperator whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.

1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.
2. Fire Emergency: During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the Forest Service will specify times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.
3. Group Gatherings: This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

V. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

For services requested in items I, II and agreed to under II and IV, reimbursement will be based upon itemized bills furnished monthly, along with certification that the services have



been performed. Final billings for reimbursement must be received by the Forest Service before December 31, 2014.

- a. Mail copies of itemized billing statements and patrol logs to:

Melissa Ewing
Law Enforcement & Investigations
631 Coyote Street
Nevada City, CA 95959

- b. The Albuquerque Service Center (ASC) is the payment center for all payments. Do not send backup documents to the ASC. Send only the hard copy invoice & Law Enforcement Billing Summary to the ASC via any of the following three options:

1. US Forest Service
Albuquerque Service Center
Payment – Grants and Agreements
1001 B Sun Ave NE
Albuquerque, NM 87109
2. Or FAX to : 877.687.4894 – Attn: Payments, Grants and Agreements
3. Or e-mail scanned invoice to: asc_g&a@fs.fed.us

NOTE: Annually update the Central Contractors Registration (CCR) of the County Sheriff's DUNS# on the CCR website at www.ccr.gov for the verification of the Electronic Funds Transfer (EFT) banking information.

- A. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$17,000	N/A
Training	0	N/A
Equipment and Supplies	0	N/A
Dispatch	0	N/A
Special Enforcement Situations	0	N/A
Total	\$17,000	N/A

- B. Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or deobligated at the request of the U.S. Forest Service. See *Cooperative Law Enforcement Agreement Provision IV-D*.



In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.

EDWARD N. BONNER, Sheriff-Coroner-Marshal
Placer County, CA

Date

TOM QUINN, Forest Supervisor
US Forest Service, Tahoe National Forest

Date

NANCY J. GIBSON, Forest Supervisor
US Forest Service, Lake Tahoe Basin Mgt. Unit

Date

SCOTT HARRIS, Special Agent in Charge
U.S. Forest Service, Pacific Southwest Region

Date

The authority and format of this agreement have been reviewed and approved for signature.

CONSTANCE ZIPPERER, Grants Management
Specialist
U.S. Forest Service, Pacific Southwest Region

24 December 2013

Date

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

FS Agreement No. 12-LE-11051360-006

Mod. 006

Cooperator Agreement No. _____

EXHIBIT B**COOPERATIVE LAW ENFORCEMENT ANNUAL DRUG OPERATIONS PLAN &
FINANCIAL PLAN****Between The
PLACER COUNTY SHERIFF'S OFFICE****And the
USDA, FOREST SERVICE
USDA, FOREST SERVICE, TAHOE AND ELDORADO NATIONAL FORESTS****2014 CONTROLLED SUBSTANCE ANNUAL OPERATING AND FINANCIAL PLAN**

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Placer County Sheriff's Department, hereinafter referred to as "PCSO," and the USDA, Forest Service, Tahoe and Eldorado National Forests, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement # 12-LE-11051360-006 executed on April 23, 2013. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 01, 2013 and ending September 30, 2014.

Previous Year Carry-over: **\$5,223.79**Current FY-14 Year Obligation: **\$7,776.21****FY-2014 Total Annual Operating Plan: \$13,000.00****I. GENERAL:**

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Edward N. Bonner, Sheriff Placer County P.O. BOX 5990 Auburn, CA 95604-6990 Telephone: 530-889-7800 FAX: 530-886-3833 Email: ebonner@placer.ca.gov	Virginia Valenzuela Placer County Sheriff's Office P.O. BOX 5990 Auburn, CA 95604-6990 Telephone: 530-886-5386 FAX: 530-886-3833 Email: vvalenzu@placer.ca.gov



Cooperator Alternate Program Contact	Cooperator Alternate Contact #2
Brad McKenzie, Sergeant Placer County Sheriff's Office P.O. BOX 5990 Auburn, CA 95604-6990 Telephone: 530-889-7844 FAX: 530-886-3833 Email: bmckenzi@placer.ca.gov	Judy LaPorte Placer County Sheriff's Office P.O. BOX 5990 Auburn, CA 95604-6990 Telephone: 530-886-6965 FAX: 530-886-3833 Email: jlaporte@placer.ca.gov

Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Eric Schultz, Special Agent El Dorado National Forest 100 Forni Road Placerville, CA 95667-5294 Telephone: 530-621-5294 FAX: 530-621-5260 Email: eschultz@fs.fed.us	Angela O. Cabada, Program Support Assistant Pacific Southwest Regional Office-LEI 1323 Club Drive Vallejo, CA 94592-1110 Office: (707) 562-8720 FAX: (707) 562-9031 Email: aocabada@fs.fed.us

U.S. Forest Service Program Coordinator Contact	
Kent Delbon Assistant Special Agent in Charge Pacific Southwest Regional Office-LEI 11323 Club Drive Vallejo, CA 94592-1110 Office: (707) 562-8649 FAX: (707) 562-9031 Email: kdelbon@fs.fed.us	

II. CONTROLLED SUBSTANCE OPERATIONS

Pursuant to IV-I of the Cooperative Law Enforcement Agreement between PCSO and the U.S. Forest Service, Agreement No. **12-LE-11051360-006**, the following is in support of operations to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension and prosecution of suspects engaged in these activities:



A. The U.S. Forest Service agrees:

1. To reimburse PCSO for expenditures associated with the detection of locations and activities related to illegal production and trafficking of controlled substances, including:
 - a. Ground reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances.
 - b. Aerial reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances. Reconnaissance shall be performed using a U.S. Forest Service approved aircraft with a minimum of one U.S. Forest Service observer on board, unless waived by the U.S. Forest Service.
2. To reimburse PCSO for certain expenses resulting from investigative activities associated with investigating cases involving the illegal production or trafficking of controlled substances on or affecting the administration of National Forest system lands, including:
 - a. Surveillance operations to identify persons illegally producing or trafficking controlled substances.
 - b. Apprehension of persons suspected of producing or trafficking controlled substances.
 - c. Collection of evidence to support prosecution of persons suspected of illegally producing or trafficking controlled substances.
 - d. Prosecution of persons suspected of producing or trafficking controlled substances.
3. To reimburse PCSO for expenses resulting from the removal of cannabis plants from National Forest System lands. When circumstances indicate that removal of the cannabis plants is required before an investigation to determine the person(s) responsible can be completed, eradication operations must be approved by the U.S. Forest Service prior to taking place.

Note: PCSO retains the authority to eradicate cannabis plants from National Forest System lands without reimbursement from the U.S. Forest Service at its discretion.

4. To reimburse PCSO for the costs of purchasing supplies and equipment used exclusively for activities described in items A.1, A.2, A.3 and A.4 of this Plan. Purchases must be agreed to and approved by the U.S. Forest Service.

Purchases may **not exceed 10% of the total allocation** without prior approval by the U.S. Forest Service Designated Representative.

**B. PCSO agrees:**

1. Within its capability, to perform the following activities on National Forest System lands:
 - a. Detect and inventory locations associated with illegal production or trafficking of controlled substances, and notify the U.S. Forest Service of such locations as soon as possible.
 - b. Investigations to determine the person(s) responsible for manufacturing or trafficking controlled substances.
 - c. Upon request and prior approval of the U.S. Forest Service, remove cannabis plants from National Forest System lands.
2. To furnish all activity reports, crime reports, investigation reports, and other reports or records, resulting from activities identified in **Section II, A** of this Operating and Financial Plan to the affected Forests for review and forwarding to the Regional Office for processing.

C. The U.S. Forest Service and PCSO mutually agree to the following:

1. The following rate schedule will apply to all expenditures that may be reimbursed to PCSO under this agreement;

Salary (base with benefits)	\$87.00 per hour
Salary (base without benefits)	\$43.50 per hour
Salary (overtime)	\$78.00 per hour
Per diem costs	\$46/M&IE + \$91 lodging
Travel (mileage and fares)	Actual documented costs
Helicopter flight time	Actual documented costs
Supplies or equipment	Actual documented costs

2. The total expenditures of PCSO that may be reimbursed may not exceed.... **\$13,000**
The total expenditures for item **A.4** may not exceed..... **10%** of the total allocation.
3. **Any remaining funding in the Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law enforcement Agreement, or de-obligated at the request of the U.S. Forest Service.**

III. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.



The PCSO will furnish itemized monthly statements of expenses to the U.S. Forest Service for expenditures that may be reimbursed as identified in items II A.1, A.2, A.3, and A.4 of this Plan. Attachment A, Law Enforcement Billing Summary, Drug Enforcement must be completed and submitted to the contacts in (a) below for each billing statement.

Mail copies of itemized billing statements to:

- a.** Angela O. Cabada, PSA
Pacific Southwest Regional Office LEI, R-5
1323 Club Drive
Vallejo, CA 94592-1110

Send photo copy to:

Eric Schultz, Special Agent
El Dorado National Forest
100 Forni Road
Placerville, CA 95667-5294

b. Send hard copy invoices to:

U.S. Forest Service
Albuquerque Service Center
Payments -- Grants & Agreements
101 B Sun Ave NE
Albuquerque, NM 87109

Or fax to: (877) 687-4894

Or e-mail scanned invoice to: ASC_GA@fs.fed.us

- c.** Final billings for reimbursement on this Annual Operating Plan (AOP) must be received by the U.S. Forest Service before October 30, 2014 in order to receive payment.
- d.** Annually update the registration of the County Sheriff's DUNS# on the System for Award Management (SAM) website at www.sam.gov for the verification of the EFT (Electronic Funds Transfer) banking information.

Job Code: NFLE0514 1360 \$7,776.21



In witness whereof, the parties hereto have executed this Operating Plan as the last date written below.

County, CA Grants and Agreements Specialist

Date

EDWARD N. BONNER, Sheriff
Placer County, CA

Date

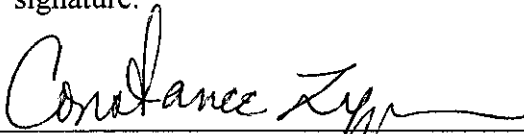
JACK DURAN, Chairperson
Placer County, CA Board of Supervisors

Date

SCOTT HARRIS, Special Agent in Charge
U.S. Forest Service, Pacific Southwest Region

Date

The authority and format of this operating plan has been reviewed and approved for signature.



CONSTANCE ZIPPERER
U.S. Forest Service, Pacific Southwest Region
Grants Management Specialist



Date



Burden Statement

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